IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 23RD OCTOBER 2007 / 1ST KARTHIKA 1929

WP(C).No. 31388 of 2007(J)

PETITIONER:

M.R.KRISHNAKUMAR,
BENGLAVIL TILES CENTRE,
NOORANAD-690504.

BY ADV. SRI.N.MURALEEDHARAN NAIR
SRI.V.K.SHAMUSUDHEEN

RESPONDENTS:
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1. SALES TAX OFFICER, COMMERCIAL TAX OFFICE, MAVELIKKARA-690101.

2. DEPUTY COMMISSIONER(APPEALS), THEVALLY, KOLLAM-691009.

3. TAHSILDAR, TALUK OFFICE, MAVELIKKARA-690101.

BY GOVERNMENT PLEADER SRI.K.P.PRADEEP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 31388 OF 2007 J
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Dated this the 23rd day of October, 2007

J U D G M E N T

Ext.P1 is an order of assessment, against which, Ext.P2 appeal and Ext.P3 stay petition have been filed by the petitioner. This writ petition has been filed apprehending that pending consideration of appeal and stay petition, revenue recovery proceedings initiated as per Ext.P5 will be continued.

2. Having regard to the fact that Ext.P1 is an ex parte order of assessment and that 1/3rd of the disputed tax has already been paid, I dispose of this writ petition directing that the 2nd respondent shall consider and pass orders on Ext.P2 appeal filed by the petitioner, as expeditiously as possible, at any rate within a period of six weeks of receipt of a copy of this judgment.

In the meantime, further proceedings for realisation of the dues under Ext.P5 notice shall be deferred for eight weeks.

Petitioner shall produce a copy of this judgment before the 2nd respondent for compliance.

ANTONY DOMINIC, JUDGE.

Rp